

APPENDIX D

WRITTEN PUBLIC COMMENTS AND AGENCY RESPONSES

APPENDIX D
WRITTEN COMMENTS ON THE DEIS
AND AGENCY RESPONSES

Appendix D contains the written comments on the adequacy of the DEIS received by Reclamation. The letters have been reproduced and reduced in size to allow a side-by-side comparison with Reclamation's responses to the comments. Segments of the letters for which responses have been prepared are identified by vertical black lines in the left margin and consecutive numbers within each letter. A list of the letters follows:

LETTERS RECEIVED	
Letter No.	Author
1	Arizona Game and Fish Department
2	The Hopi Tribe
3	Tony Koleski
4	Stephanie J. Miller
5	Sheri Novkov
6	Myron L. Scott, Esq. Secretary, Arizonans for a Better Environment
7	Don Steuter, Chapter Conservation Chair Sierra Club, Grand Canyon Chapter – Arizona
8	U.S. Environmental Protection Agency, Region 9
9	Marek Urbanek

Appendix D

Written Comments



Mesa Office, 7200 E. University, Mesa, Arizona 85207 (480) 981-9400

January 17, 2002

Ms. Carol Lyn Erwin
Area Manager, Bureau of Reclamation
Phoenix Area Office
PO Box 81169
Phoenix, AZ 85069-1169

Re: Draft Environmental Impact Statement (EIS) for Reach 11 Recreation Master Plan

Dear Ms. Erwin:

The Arizona Game and Fish Department (Department) has reviewed the above referenced document and we provide the following comments.

The Department appreciates the opportunity we have had to assist with the development of this master plan. The Department supports the proposed action, especially considering the City's needs for a recreational park, and their requirements for district park designation. But we also support the proposed action from a wildlife and wildlife habitat resource perspective.

- 1-1 [The Issues and Concerns section under Biological Resources (3.6.1) should include as an issue the impending impact on wildlife from adjacent developments (especially north of Reach 11). Specifically, the presence of wildlife habitat adjacent to these new developments will result in occasional conflicts between wildlife and people. On occasion, the Department may need to capture and remove nuisance wildlife on or adjacent to the park, or resolve the problem in other ways.
- 1-2 [In the *Mammals* section of 3.6.4.3, the following should be added: "increased human use associated with recreational improvements may disturb foraging and breeding activities for some mammalian species. As a result overall numbers could decrease."
- 1-3 [In the *Reptiles and Amphibians* section of 3.6.4.3, the following should be added: "increased human use associated with recreational improvements may disturb foraging and breeding activities for some reptile and amphibian species. As a result overall numbers could decrease."
- 1-4 [In the Water Resources section (3.4.4.2) there is no mention of the irrigation described in the Biological Resources section (3.6.4.5). Further, the Department would like to ensure that water

AN EQUAL OPPORTUNITY REASONABLE ACCOMMODATIONS AGENCY

Agency Responses

- 1-1 [Your comment has been incorporated into the text of Section 3.6.1 in the final EIS.
- 1-2 [Your comment has been incorporated into the text of Section 3.6.4.3 in the final EIS.
- 1-3 [Your comment has been incorporated into the text of Section 3.6.4.3 in the final EIS.
- 1-4 [The text in Section 3.4.4.2 has been revised to address the supplemental irrigation requirements.

As stated in Section 3.6.4.2 under the heading of Open Water, existing ponding areas at Reach 11 would not be affected by any of the alternatives. It should be noted that the development occurring north of the Reach may cause changes to the drainage patterns into the Reach; however, this is beyond the control of the project partners (Reclamation and City of Phoenix), and outside the scope of this EIS.

Appendix D

Written Comments

Ms. Erwin
Page 2
January 18, 2002

1-4
(contd.)

is maintained to areas currently receiving water, and that surface water for wildlife is made available to restored/enhanced areas. This is critical to maintaining wildlife habitat and populations. This will provide an alternate source of water to the CAP canal, which will reduce the number of wildlife drownings.

1-5

In the Biological Resources Mitigation Measures section (3.6.5), the following should be added: "Prior to construction, instruct all supervisory personnel on the protection of wildlife habitat resources on the eastern portion of Reach 11". This is consistent with similar statements in section 3.5.5 (Earth Resources) and 3.11.5 (Cultural Resources). Although we recognize the need to keep vegetation pruned for security reasons, we hope that where possible, pruning will be kept at a minimum and that vegetation density be kept at a maximum to maximize its value as wildlife habitat.

1-6

There is a potential for bird nest destruction during the construction phase of the Proposed Action plan. Under the Migratory Bird Treaty Act, harassment or damage to active bird nests is a federal offense and should be taken into consideration. If vegetation is cleared during the winter months (October to February) the impact on nesting birds would be minimized. Table 3-15 (Resource-Specific Mitigation Measures, Biological Resources), should have the following added: "Review and consult with USFWS on Migratory Bird Treaty Act (dealing with nesting birds) as appropriate prior to removal of vegetation".

1-7

In closing, we would like to offer our continued assistance to making the Reach 11 Park wildlife-friendly. As planning and development progresses we would like to offer suggestions on ways and features to minimize impacts to wildlife. Thank you for the opportunity to review this document. We look forward to reviewing the management plan for Reach 11 when it is available.

Sincerely,



Russell Haughey,
Habitat Program Manager

RAH:jcy

cc: Rod Lucas, Supervisor, Region VI
Joe Yarchin, Urban Wildlife Specialist, Region VI
John Kennedy, Habitat Branch Chief
Josh Hurst, Wildlife Manager, Central Phoenix

1 (continued)

Agency Responses

1-5

The Biological Resources Mitigation Measures section of the final EIS has been revised as recommended.

1-6

At this point in time it is difficult to predict when construction will occur as several interim steps are involved. If there appears to be a scheduling conflict between the migratory bird nesting season and proposed construction that would impact existing habitat, the City of Phoenix Parks and Recreation Department will review and request input from the U.S. Fish and Wildlife Service (USFWS) on the Migratory Bird Treaty Act as appropriate.

1-7

The City of Phoenix will continue to work with the Arizona Game and Fish Department concerning wildlife issues on City property; however, preparation of a wildlife management plan is not anticipated.

Appendix D

Written Comments

TONY KOLESKI 717 West Beverly Lane, Phoenix, Arizona 85023 • PHONE (602) 594-0596

February 4, 2002

Ms. Carol Lynn Erwin
United States Department of the Interior
Bureau of Reclamation
P. O. Box 81169
Phoenix, AZ 85069-1169

Reference: Draft for Reach 11 Recreation Master Plan

Dear Ms. Erwin:

I have a copy of your draft and quite frankly it does not begin to address some real issues here in Phoenix. The city and the parks department share the same ignorance and corruption. I had hope the Bureau of Reclamation would be a little bit more visionary and creative. No Luck.

I have decided to write at this time because in a few weeks there will be a soccer tournament here in the Phoenix area. The magnitude of economic gain to the community is much greater than most of the conventions that come to town. The facilities available for this youth tournament are without question some of the worst in the country. City leaders should be ashamed of themselves that such poor facilities are provided to these teams coming from all over the country and in many cases, foreign countries. In Arizona, we have more youth playing soccer than any other sport. It is sad that our children have to play on such inadequate fields and embarrassing when teams from all parts of the country come and view the extremely poor conditions. Phoenix has always been known as the city that caters to the deep pockets. It is time that we start doing something for the youth of our community.

Reach 11 is a good place to start.

3-1

What is needed is a complex of at least 125 acres. There is a need for a minimum of 20 fields. All fields must be of full regulation size and lighted. Lighted fields insure that night tournaments in the summer will be successful and that during the winter months our children can use the fields in the evening for practice and games. There must also be space available for another 5 fields. Four of these fields can be used for championship games and specialty training facilities for national teams. One field should be set aside to ultimately make a complete soccer stadium that will accommodate International games. This stadium facility will need to seat approximately 35,000 people. Naturally the stadium does not have to be completed immediately but needs to be in the plan. A hotel site is also necessary to provide immediate access to all fields. Parking and concessions would round out the balance of the 125 acres.

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2/16	1100
2/12	1500

Agency Responses

3-1

The City of Phoenix Parks and Recreation Department determined that the Reach 11 area was not an appropriate site for a Soccer Tournament Complex. Reach 11 is a site with much existing habitat and the proposed recreational master plan is considered to be a good balance between meeting the high-demand recreational needs while maintaining passive recreation and habitat areas where they currently exist on site.

Appendix D
Written Comments

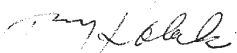
3 (continued)

Agency Responses

3-2 [Why is it that our children are always the one that are forgotten? Our educational system does not provide teaching that helps our children learn how to think, only what to think. Much time is spent teaching children how to pass tests instead of teaching the subject matter that develops their thinking ability. None of the facilities in the valley provide a wholesome and healthy recreation area for children. The health hazard conditions that many of these children are forced to play on is certainly becoming a possible legal issue that city, county and state officials should be held accountable for. The time is now for elected officials to be responsible to the needs of our youth. Deep pockets can take care of themselves, our youth can't.

The complex described herein is a necessity. The benefit to the youth and the Phoenix economy will be tremendous.

Sincerely yours,



Tony Koleski

3-2 [Your comment is noted.

Appendix D

Written Comments

Final Environmental Impact Statement
for the Reach 11 Recreation Master Plan

D-7

12-11-01

Stephanie K Miller
5425 E. Libby Street
Scottsdale AZ 85254
602-404-2118

Please inform me
of ~~all~~ all decisions
of

4-1

Please keep me informed
to decisions as they are made
especially any change in the
"proposed action" plan

If the "proposed action"
plan is changed, I request
new rounds of public hearings.

Stephanie Miller

October 2002

Agency Responses

4-1

Your name and address is on the mailing list to receive future information associated with this EIS. If additional public hearings on this EIS are conducted, you will be informed. However, additional hearings are not anticipated.

Appendix D

Written Comments

January 7, 2002

Parks and Recreation Board Members

Mr. Bruce Ellis
Chief Environmental Program Manager
Bureau of Reclamation - Phoenix Area Office
P.O. Box 81169
Phoenix, Arizona 85069-1169

ACTION BY		
DUE DATE		
JAN 14 '02		
DATE	ROUTE TO	INITIALS
CLASSIFICATION		
CONTROL NO.		
FOLDER I.D.		

My name is Sheri Novkov and I reside in Scottsdale. I have followed, spoken about, written letters and been involved in all meetings relating to the equestrian aspect of Reach 11 since 1998. I am requesting your continued support by approving the Proposed Action Master Plan as presented and approved by Phoenix Parks & Recreation Board Members in September 1999 pending the Environmental Impact Statement results.

According to the published Executive Summary within the Arizona Executive Equine Report 2000 ... Arizona Pleasure Horse Owners will spend an estimated \$700 million dollars on the care and maintenance of pleasure horses and related infrastructure including the annualized cost of horse, tack, equipment, land and facilities ownership in the year 2001. Let me say that dollar amount again; that is \$ 700 Million dollars in Arizona alone.

- 5-1 As an active equestrian user of Reach 11, I urge you to enhance the trails from Cave Creek to Scottsdale roads. I happily discovered Reach 11 upon the purchase of my first horse ten years ago and am an active user of this park. I utilize the trails to safely train and condition my horse at a safe and controllable pace on flat trails. The continuous multi-use and loop trails allow safe training for equestrians without being pushed out of town.
- 5-2 Please understand that Reach 11 is the LAST SAFE place to trail ride without running into hazardous motorized vehicles. State land trails are loaded with motorcycles that scare horses. Reach 11 is the only place I can ride by myself without motorized hazards. Please do not push the equestrians out once again.

Agency Responses

- 5-1 [The trails within Reach 11 are proposed for improvement as part of implementing the recreational master plan.
- 5-2 [Motorized vehicles are not authorized for use within the Reach currently. There are no plans to allow motorized vehicles, (with the exception of staff maintenance and emergency response vehicles) within the Reach 11 site in the future.

Appendix D
Written Comments

Page 2. 1/7/02

Between the areas of 7th Avenue to Scottsdale Road; Jomax to Greenway; there are a total of 23 parks. Of those 23 parks, I can ride my horse in 3 of them, and only 1 is not a mountain trail. This one is Reach 11. Reach 11 is the only place I can ride my horse in safety and on a flat trail. I can play baseball and soccer in any of the other 20 parks. You have listed to the users of Reach 11 and have developed a Proposed Master plan that supports this effort.

5-3 [From a safety standpoint, I am pleading with you to develop the trailhead on the East side of Tatum immediately. Equestrians cannot safely cross Tatum to access the trail East of Tatum. I also encourage you to enhance footing on the current trails. They are rock hard and should be maintained to ease the hoof impact of a 1,000 pound horse on rock hard ground. Equestrians do not use the trails as much as they used to be due to access and footing. You cannot access the trailhead on Scottsdale road at all. Parking along Tatum and unloading horses onto pavement is not safe.

5-4 [I support the Proposed Action Master Plan. I urge you to be courageous and to seize the current opportunity before you to retain and enhance the natural desert trail for equestrian, hiking, biking trails.

I am happy to answer any questions you have and am eager to serve on any committees regarding this issue.

Thank you,



Sheri Novkov
7105 East Cortez
Scottsdale, Arizona 85254
(480) 951.1525
sherinovkov@msn.com

5 (continued)

Agency Responses

5-3 [The City of Phoenix Parks and Recreation Department is currently working with the Streets Transportation Department to resolve the equestrian users concerns relating to access into the Reach 11 site. The Proposed Action includes an underpass under Tatum Boulevard that will enable equestrians access to the east-side trails.

5-4 [Your comment is noted.

Appendix D

Written Comments

5 (continued)

Agency Responses

EXECUTIVE SUMMARY

Three major activities make up Arizona's horse industry—pleasure riding (private and commercial), participant and spectator events (racing, shows, rodeos, roping, polo), and breeding. This report provides estimates of Arizona economic activity associated with private pleasure horses, horse racing, horse shows, and resident spectators at rodeos, roping, polo, and gymkhana events. *Major categories not accounted for include commercial pleasure riding, participants at rodeo, roping, and polo events, and breeding of horses for export sale (outside Arizona).* Despite these omissions, Arizona's horse industry **exceeds a billion dollars** annually in direct, indirect, and induced expenditures—between **\$1.1 to \$1.3 Billion**.

TOTAL DIRECT EXPENDITURES: Direct expenditures on private pleasure horse maintenance and ownership, horse racing and horse show activity, and by resident spectators at other horse-related events was estimated to be between **\$660 to \$760 Million** in 2001.

- **Arizona Pleasure Horse Owners** spend an estimated **\$500 to \$600 Million** on the care and maintenance of pleasure horses and related infrastructure (including the annualized cost of horse, tack, equipment, land and facilities ownership).
- **Horse Racing in Arizona** generates an estimated **\$108 Million** in expenditures.
- **Horse Show Events** contributes an estimated **\$43 Million** in expenditures.
- **Arizona-Resident Expenditures as Spectators at Other Horse-Related Events** (rodeos, roping, polo, gymkhana) come to **\$9 Million**.

INDIRECT AND INDUCED EXPENDITURES: The combined indirect and induced (ripple) effect of the above direct expenditures contributes an additional **\$444 to \$504 Million** owing to horse-related activity in Arizona.

HOUSEHOLDS AND HORSES: The number of Arizona households owning one or more pleasure horses or commercially involved in the horse industry falls in the range of 48,000 to 64,000. The number of horses in Arizona likely exceeds 170,000 head.

BY WAY OF COMPARISON: Direct expenditures on horses exceed gross sales receipts of most of the major sub-sectors comprising Arizona's agricultural industry. In terms of importance to the Arizona economy, direct horse-related expenditures rival state government expenditures on "security and safety."

A PARTIAL ECONOMIC IMPACT ANALYSIS OF ARIZONA'S HORSE INDUSTRY vi
WWW.AZSTHORSEASSOC.COM

Appendix D

Written Comments

TO: Bruce Ellis,
Environmental Program Manager
Phoenix Area Office
Bureau of Reclamation
PO Box 81169
Phoenix, AZ 85069-1169
BY FAX: (602)216-4006

FROM: Myron L. Scott, Esq.,
Secretary, Arizonans for a Better Environment
315 W. Riviera Dr.
Tempe, AZ 85282

DATE: January 18, 2002

RE: Comments on Draft Environmental Impact Statement for the Reach 11
Recreation Master Plan, Central Arizona Project (CAP), Phoenix, Arizona
(PXAO-1500, ENV-1.10)

Commentor Standing: These comments are submitted by Myron Scott on my own behalf and on behalf of Arizonans for a Better Environment ("ABE"). (See below.) I am a birdwatcher, hiker, photographer, and an amateur naturalist and nature writer with special interests in botany, lepidoptery and ornithology. I have actively pursued all of those interests frequently in the affected area for several years. I also ride horses, although I have not ridden yet in the affected area. I live in Tempe, Arizona, in the Greater Phoenix Metropolitan Area within which the affected area is located. I am a member of several animal, plant and natural resource conservation organizations including the North American Butterfly Association and National Audubon Society (formerly serving as a local chapter officer). I also represented Maricopa Audubon Society (a chapter of National Audubon) as lawyer in a 1998-9 legal action under NEPA, *et al.* contesting BOR approval of construction of the 56th Street Bridge and a 64th Street Bridge construction proposal. That action culminated in a settlement with the plaintiffs, *inter alia*, Interior Department (BOR) and the applicant City of Phoenix, which resulted in the current master planning and EIS process, as well as mitigation measures. These comments, however, are personal and do not represent any of the above-named organizations or clients, except ABE. ABE is a local conservation education organization incorporated in the State of Arizona, several of whose members use Reach 11 for nature study and recreation purposes.

1.

Agency Responses

Appendix D

Written Comments

6-1 Cumulative Impacts: The affected area was created as part of the construction of the Central Arizona Project (CAP). At the time of the Project, BOR responded to concerns of the U.S. Fish & Wildlife Service and others over urban-development-inducing secondary and cumulative impacts by stating that such impacts would be environmentally assessed later on a case-by-case basis. Since then, several projects have been approved involving CAP "reaches" including Reach 11 without adequate consideration of such impacts on urban growth and land use in and near the reaches. This Draft EIS largely continues this tradition, unfortunately. An adequate review of these secondary and cumulative impacts should consider, *inter alia*, impacts of increased traffic owing to the proposed dramatic increase in developed recreational activities within Reach 11 on the overall character of the reach and adjacent areas, as well as development per se.

6-2 Water Supply: Additionally, current and foreseeable development in the area should be more thoroughly assessed for potential impacts on the City's ability to sustain the natural resources and recreational amenities in Reach 11. Of special concern in this regard are the potential for industrial waste contamination from adjacent facilities and a sustainable supply of water adequate to ensure continued viability of natural areas established under the Master Plan. The proposed "irrigation ponds" also should be assessed in these regards as to function, utility and secondary effects, especially in proposed natural and passive or low-impact recreation areas. Current and foreseeable activities and proposals for flood control, diversion, retention, and construction affecting natural washes and other runoff sources outside Reach 11 especially need to be more fully surveyed and anticipated, as well as changes proposed under the Master Plan, in this regard. A plan to ensure adequate, safe water for designated uses, especially in natural areas, should be explicitly made part of the Master Plan and EIS.

6-3 Biological Resources: In this regard and others, it is significant to note that unplanned effects of CAP construction and operation appear to have enhanced the water supply in portions of Reach 11, notably Zones 4-6 (Draft EIS: Figure ES-3), contributing to the establishment or re-establishment of riparian-type habitat, a de facto "created" (or enhanced) wetland now well established in an ecological sense and of high local habitat and passive recreational value. The City of Phoenix recognized the special habitat value of these "Zones" a decade ago, proclaiming the area the Reach 11 Natural Area. Subsequent informal and agency resource surveys (part of the Record in the aforementioned lawsuit and known to BOR and the applicant City) have confirmed the locally (and, increasingly, regionally) unusually high habitat value

6 (continued)

Agency Responses

6-1 Cumulative impacts are considered in the EIS. In particular, Section 3.15 of the EIS indicates cumulative effects associated with implementation of the master plan are considered minimal. Additional discussion regarding cumulative impacts from anticipated long-term vehicular emissions on air quality has been added to Section 3.3.4 and Section 3.15 of the final EIS to address the commenter's concerns.

6-2 The Proposed Action has been planned and would be designed to coincide with and incorporate the existing environment (e.g., working with existing water supplies and ponding) and would avoid impacting the existing drainages in the Reach to the greatest extent practicable. It should be noted that the development occurring north of the Reach may cause changes to the drainage patterns in the Reach. Reclamation and the City will continue to coordinate with landowners upstream regarding flows into the Reach.

6-2 Federal and state regulations govern the storage and disposal of contaminants, which limit the potential for industrial waste contamination from adjacent facilities to affect Reach 11.

City of Phoenix ordinances require the use of reclaimed water, where it is available, for recreation areas greater than 5 acres in size. As stated in Section 3.4.3.4, the quality of this reclaimed water is regulated and monitored by the Arizona Department of Environmental Quality (ADEQ). Also, use of reclaimed water for irrigation and lake filling must be permitted by ADEQ.

The City Parks and Recreation Department proposes to enhance habitat values as practicable.

6-3 The text of the final EIS (Section 3.6.3.1) has been revised to more clearly indicate that much of the xeroriparian habitat existing within Reach 11 along the base of the Central Arizona Project (CAP) dike did not exist historically within the project area and is the result of construction of the dikes and subsequent ponding of floodflows.

We believe the EIS accurately and adequately describes and characterizes the habitat within the project area. The term "xeroriparian" has been applied to describe the type and structure of

Appendix D

Written Comments

6-3
(contd.)

of these "Zones." The special significance and history of the area in this regard needs to be explicitly recognized in the EIS. A more thorough survey of existing and potential biological resources is required. The Master Plan should include a special commitment to preserve and (where appropriate and after adequate impact assessment) enhance such valuable habitat.

Significance, Purpose and Need: The EIS and Master Plan must recognize the significant value of all still undeveloped and relatively undeveloped remnants of Reach 11. Substantial development of other, non-adjacent sections of Reach 11 has been approved and occurred, particularly in the adjacent City of Scottsdale - in my opinion in a piecemeal fashion, without adequate assessment of overall impact on Reach 11 as a whole. This development, as well as surrounding existing and planned urbanization, increases the significance of the natural biological resources in the affected area, as habitat and wildlife corridor, buffer and passive recreational amenity. Considered in this context and in its own right, this area is "significant" in NEPA terms and any proposed actions that substantially may diminish the value of the affected area in these respects requires intensive NEPA consideration. These values should be explicitly recognized in the statement of purpose and need.

6-4

Excluded Alternatives: In my opinion, as regards the Master Plan, no alternative that diminishes these habitat and other natural area values should be adopted. In this regard, I especially object to the elimination from detailed consideration of the "habitat enhancement only" alternative. (Draft EIS, p. ES-3.) Properly constructed, such an alternative should produce no negative impacts on the factors that render the proposed action "significant." Its exclusion amounts to stacking the analytical deck. At best, the preferred alternative, with modifications and improved assessment in specific areas, may reduce negative impacts to a tolerable level (by restraining recreational "development" in some zones); but that assessment cannot be rationally made without assessment of the habitat-oriented alternative as a benchmark, as well as a means of more fully identifying mitigation alternatives.

The express reason for exclusion of this alternative is its asserted non-compliance with the City's "district park" designation, a designation that, itself, never was subjected to NEPA analysis. This designation improperly drives the definition of "purpose and need" as currently stated (see above) and ignores the NEPA "significance" of the affected area - i.e., as natural area habitat. (It also may be too narrow to comply with the previously discussed settlement terms.) The City's authority in this regard arises from its cooperative management

3.

6 (continued)

Agency Responses

6-3
(contd.)

the vegetation that is more commonly associated with desert washes and arroyos. This vegetation is typically more dense and vigorous and more diverse than that of the adjacent desert scrub community.

Recognizing the importance of the xeroriparian habitat for neotropical migratory birds, Reclamation continues to conduct surveys in Reach 11. The EIS does indicate that both the Proposed Action and Alternative 1 have been designed to avoid or minimize impacts on xeroriparian vegetation.

The Council on Environmental Quality (CEQ) regulations implementing NEPA indicate the following regarding the purpose and need statement in an EIS: "The statement shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." (40 CFR 1502.13)

In this particular situation, the purpose of the proposed project is the approval and implementation of a new recreation master plan. The proposed project is needed because the existing 1987 recreation master plan is outdated and does not reflect the overuse of existing recreation features in the area, lack of an adequate amount of available recreation opportunities, and the projected demand for future recreational facilities and uses based upon population growth estimates.

6-4

The characterization of the existing habitat and the effect of the proposed project is provided in section 3.6 of the EIS.

We are unaware of any Act that charges Reclamation to administer areas, such as Reach 11, primarily for passive or low-impact outdoor recreation. The statute that authorizes the use of Reclamation funds and Reach 11 for recreational purposes is Title 28 of the Federal Water Project Recreation Act of 1965 (Public Law 89-72, as amended). This Act states, in part, the following:

...in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project full consideration shall be given to the opportunities, if any, which the project affords for outdoor

Appendix D

Written Comments

6-4
(contd.)

agreements with BOR; but BOR retains primary authority and responsibility for Reach 11 under statutory requirements, including those governing NEPA and the agency's public recreation trust responsibilities. That latter Act charges BOR to administer such areas primarily for passive or low-impact outdoor recreation - not soccer fields, golf courses or other urban-type developed recreation. The City's prior "designation" cannot waive these statutory requirements, especially those imposed by NEPA. Therefore, the excluded habitat-oriented alternative should be fully assessed.

6-5

Zones 3-6: As mentioned, the preferred alternative may constitute a tolerable compromise among competing recreational demands, to the extent negative impacts on the remaining natural and passive or low-development recreational areas are avoided, mitigated or minimized. The segregation of developed from more natural or passive recreation areas in the preferred alternative is a step in the right direction; but proposed actions in the more developed "zones" need to be assessed in greater specificity for potential impacts of the retained natural and lower-impact zones, which apparently will be zones 3-6.

6-6

Adjacent "zones": Recreational development in all zones must be assessed not only within the individual affected zone but also should be assessed for impacts on adjacent and other zones. Factors in one zone that could negatively impact other zones include water use, lighting, human and vehicular traffic, impacts on wildlife corridors, pesticide and other chemical runoff or contamination, access control and wildlife disturbance factors, and potential introduction or expansion of invasive non-native species. These impacts need to be further identified and addressed. One such potential impact stands out in the proposed growth of "turf" in Zones 6 and 3. Bermuda grass and similar species can become highly invasive, noxious "weeds" in natural areas, a potential highly negative impact on nearby Zones 4 and 5 (probably the highest value natural areas), as well as on proposed retained desert habitat in Zone 3. Also, the potential of recreational development-related land disturbance to spread these and even native invasive plant species (e.g., broom and creosote), thereby negatively impacting existing biological communities, must be assessed.

6-7

Zone 4: The riparian-type habitat in Zone 4 is of specially high value in this regard, as repeatedly recognized in the past and discussed above. Local Audubon chapters can provide additional data regarding, especially, avian values in this Zone. To my personal knowledge, e.g., raptor nesting behavior has been observed there, as has significant migratory use, including locally rare species, along with a diverse breeding and resident population of desert and

6 (continued)

Agency Responses

6-4
(contd.)

recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operating, and maintained accordingly....

As explained in Section 2.4.1, in the case of Reach 11, no action in this situation would mean that the already approved 1987 Recreation Master Plan would continue to be implemented on a piecemeal basis. Based upon the recreational needs of the area and the public input received during the public scoping period, Reclamation and the City of Phoenix believe the alternative plans included in the EIS represent a reasonable range of greater and lesser degree of recreational development.

6-5

The highest activity area, Zone 1, abuts the freeway interchange and associated basins (Zone 2), and shares only a trail system link with the other recreation zones. Zone 3, which is also primarily an active recreation area, is currently separated completely from Zones 4 - 6 by Tatum Boulevard. A proposed multi-use trail underpass at Tatum, once constructed, would provide a link between Zones 3 and 4. The more natural and passive recreation areas (Zones 4 - 6) are further delineated by the roadway crossing at 56th Street and the proposed crossing at the 64th Street alignment. This physical separation of the high activity Zones 1 and 3 from the passive recreation Zones 4 - 6, serves to minimize potential impacts on the natural and lower-impact areas. We believe the EIS adequately addresses the potential impacts.

6-6

The Proposed Action was developed considering the effects of activities within each zone and on adjacent zones. Detailed design will incorporate measures to accomplish these objectives. Controls to prevent and minimize encroachment of invasive non-native species, such as bermuda grass, will be incorporated through design elements such as buffering xeroriparian habitat areas with drought-tolerant (xeriscape) native plant zones, and headers and concrete walkways between turf and natural areas to contain bermuda grass. Disturbance during construction will be minimized, disturbed areas will be revegetated promptly with native plant species, and the City of Phoenix will implement maintenance measures to minimize encroachment of invasive non-native species. The text of the EIS has been revised to address management of invasive non-native species in more detail (Section 3.6.5).

Appendix D

Written Comments

- 6-7 (contd.) desert-riparian species. Over several years, I have observed substantial populations of native butterflies and other pollinators in this Zone on a seasonally regular basis and in numbers unusual in the Phoenix Metropolitan Area. These populations and their botanical associates need to be adequately surveyed in the EIS and - given increasing recognition of the critical importance of the preservation, enhancement and creation of drastically diminishing pollinator habitat - protected under the Master Plan. Additionally, I have observed a variety of valuable mammal, insect, amphibian and reptile (including rarity) species in this and adjacent Zones.
- 6-8 To preserve this relative fragment of the existing Reach 11 habitat, all proposed development within and adjacent to Zone 4 require stringent assessment. Laudable as is public nature education, facilities for it and for such relatively passive recreational activities as picnicking, hiking and handicapped access should be carefully assessed for compatibility with existing natural values. In my opinion, development within Zone 4 should be limited to (at most) water resource enhancement, management for native species (including potential removal of non-native species and native species restoration) and possibly refurbishment of the existing "Natural Area" signage and paths. Even those activities should be fully assessed and a long-term monitoring and management plan developed as part of the Master Plan. Current restoration actions in Zone 4 should be explicitly assessed as a benchmark for any possible future activities.
- 6-9 Zones 3, 5 and 6: Zones 3, 6 and, particularly, 5 also possess significant habitat values. Zone 5 in particular (potentially especially the mesquite bosque therein) possesses, unique considerable habitat value. Zone 3 possesses considerable desert habitat value, negative impacts upon which should be minimized. The two zones serve as corridor, prey base and buffers for the Zone 5 habitat, as well. Zone 6 also is a potentially significant buffer between the interior natural zones and the more highly developed recreational facilities in to the east in Reach 11. The interactive importance of these buffers, corridors and synergistically beneficial habitat elements needs more detailed assessment.
- 6-10 Management Plan and Policies: To an extent, the proposed Master Plan is analogous, under NEPA, to "programmatic" documents such as Forest Service and BLM "management plans." The Draft EIS, however, appears deficient in identifying and assessing natural and semi-natural area management and monitoring plans, policies and procedures to guide future site-specific actions. I would encourage the applicant to adopt procedures - which should be assessed in this EIS - for community input into such long-term management that

5.

6 (continued)

Agency Responses

- 6-7 Your comment is noted. We believe the document accurately reflects the quality of the existing habitat.
- 6-8 The facilities in Zone 4 are limited to a single structure, which will house the interpretive center and administration, and associated parking. Since the use of Zone 4 is planned for nature interpretation, the City of Phoenix Parks and Recreation Department is sensitive to retaining the natural features of this area to the extent practicable. The structure and parking will be sited to maximize the interpretive use of the area.
- 6-9 There are established mesquites around a retention area in Zone 5. There are xeroriparian areas in Zone 3, around one north-south drainage and another associated with a drainage running parallel to the canal bank. Zone 6 has less habitat value and is included under the Proposed Action as a large, group picnic area. This would be compatible with buffering from the adjacent urban areas.
- 6-10 This programmatic EIS is based on proposed conceptual recreational master plans. This does not make it analogous, under NEPA, with Bureau of Land Management or Forest Service management plans.

Appendix D

Written Comments

6 (continued)

Agency Responses

6-10
(contd.)

take on-going advantage of existing local wildlife agency, academic ecological, and conservation N.G.O. expertise. Without consideration of some such long-term management plans, policies and procedures, the EIS is deficient as a programmatic document.

Appendix D

Written Comments



SIERRA CLUB

Grand Canyon Chapter • Arizona

202 E. McDowell Rd., Suite 277
Phoenix, Az. 85004

Jan. 17, 2002

Mr. Bruce Ellis
Chief, Environmental Resource Management Division
Bureau of Reclamation
Phoenix Area Office
P.O. Box 81169, PXAO-1500
Phoenix, Az. 85069-1169

Re: Environmental Impact Statement for the Reach 11 Recreation Master Plan

Dear Mr. Ellis,

7-1 [We appreciate the opportunity to comment on your draft EIS for the Reach 11 Recreation area. In general, we support Alternative 1, which emphasizes passive recreation to conserve the natural setting and minimize development in the Reach.

7-2 through 7-4 [Our main concern with the Proposed alternative is the amount of development planned for zone 4, the main habitat area. A 5,000 square foot interpretive center, 2,000 square foot administrative office and related road and parking lot hardly seems conducive to an urban wildlife zone. As zone 4 is one of the smallest zones in the Reach, we would prefer that it remained as free from development as possible. These facilities would be more appropriate in another zone. [Likewise, the parking lot in zone 5 in the proposed alternative intrudes far into the Reach. As zone 5 is considered in part a habitat area, the parking lot and road, if needed, should be located nearer the future 64th street alignment.] [In the other zones, we also prefer the minimum development proposed under Alternative 1, allowing more preservation of sensitive vegetation and more opportunities for habitat enhancement.]

7-5 [We are also concerned about the plans for intense vector control. Not allowing vegetation near ponds and requiring that ponds have steep slopes does make for wildlife friendly waters. These types of ponds might be appropriate in zone 1 where the sports complex is planned, but not in habitat areas. Many species of birds depend on insects for food, as your draft document noted (3-24). The idea of creating a small, flowing stream, or a series of smaller streams, instead of stagnant ponds, should be examined in the final EIS.

7-6 [Our organization recognizes the need for more sports facilities, but has never understood why the cities of Phoenix and Scottsdale were unable to provide adequate space for such facilities within the large development area in the north valley. As a result of this failed planning process, an expensive sports complex will now be built in a flood detention basin, an area better suited to catch storm runoff and provide some remaining habitat for wildlife.] [We are unclear what construction of all these sports facilities will mean in regards to sediment removal in drainages and habitat areas. It appears that more intensely developed facilities will result in more sediment removal that would impact habitat. If this is true,

7-7 [

Agency Responses

7-1 [Your comment is noted.

7-2 [The facilities in Zone 4 are limited to a single structure, which will house the interpretive center and administration, and associated parking. Since the use of Zone 4 is planned for nature interpretation, the City of Phoenix Parks and Recreation Department is sensitive to retaining the natural features of this area to the extent practicable. The structure and parking will be sited to maximize the interpretive use of the area.

7-3 [Your comment is noted. Parking will be located during detailed design to maximize use of disturbed areas, thereby minimizing disturbance of existing habitat and other natural features.

7-4 [Your comment is noted.

7-5 [Your comment is noted. The City of Phoenix Parks and Recreation Department has proposed to enhance habitat values as practicable. During the public scoping process, the option of creating wetland features that would contribute to wildlife was eliminated based on concerns of the adjacent communities for vector control. The Parks and Recreation Department will consider your comment during final design; however, costs may be prohibitive.

7-6 [The proposed use is consistent with Title 28 of the Federal Water Project Act of 1965 (Public Law 89-72, as amended). Compatible multiple use of recreation and flood control has been demonstrated in many areas; this is a cost-effective method for utilizing flood storage lands for recreational benefit. As stated in Section 1.1, "given the planned construction of a major freeway and population growth projections for the area, it is anticipated that Reach 11 will become increasingly important in providing open space and recreational opportunities to the surrounding current and projected population."

7-7 [Reclamation and the City of Phoenix Parks and Recreation Department are sensitive to the site conditions (including drainage patterns and habitat areas) and will site facilities prudently to avoid or minimize adverse effects.

Appendix D
Written Comments

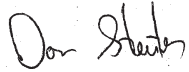
7 (continued)

Agency Responses

7-7 (contd.) Alternative 1 is certainly the better alternative for zone 1. The final EIS should examine this relationship between development and sediment removal more closely.]

Thanks for your efforts in preserving our urban wildlife. We look forward to your final EIS.

Yours,



Don Steuter
Chapter Conservation Chair



REGION 9

75 Hawthorne Street
San Francisco, CA 94105

January 18, 2002

Bruce Ellis
Bureau of Reclamation
Phoenix Area Office
P.O. Box 81169
Phoenix, AZ 85069

Dear Mr. Ellis:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the **Reach 11 Recreation Master Plan in Maricopa County, Arizona**. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Bureau of Reclamation (BOR) proposes to approve a recreation master plan for Reach 11, a 1,500-acre area adjacent to the Central Arizona Project canal. The land is owned by BOR, and managed for recreational purposes by the City of Phoenix under a 1986 land use agreement. The DEIS evaluates several alternatives for an updated recreation Master Plan for Reach 11. Each alternative provides a level of service established for a district park. The preferred alternative includes facilities for some active recreation (i.e., soccer fields, basketball courts), as well as providing natural areas for passive recreation and some picnic areas.

8-1 EPA commends BOR for preparing a well written DEIS. We support your (and the City of Phoenix's) comprehensive effort to update the Master Plan for recreation activities in the Reach 11 area, while balancing the primary need for flood control function in this reach. Although EPA supports your efforts to meet these needs, we have several unresolved concerns about impacts of the proposed action due to a lack of some critical information in the DEIS. As such, we have rated this DEIS as category EC-2, Environmental Concerns - Insufficient Information (see attached "Summary of EPA Rating System). In particular, we are concerned about the lack of information regarding impacts to water resources and sensitive xeroriparian habitat (habitat associated with intermittent water supplies).

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Agency Responses

8-1 Thank you.

Appendix D
Written Comments

8 (continued)

Agency Responses

Final Environmental Impact Statement
for the Reach 11 Recreation Master Plan

D-20

October 2002

8-2

The DEIS evaluated two other alternatives in addition to the no-action and preferred alternative. Alternative 2, "Active Plan," involves intensive use of the site for numerous active recreation facilities, including two golf courses. This alternative would impact many more acres of ephemeral washes and xeroriparian habitat than the preferred alternative. EPA has more significant concerns regarding impacts to water quality and habitat for this alternative. If BOR changes its preferred alternative to the "Active Plan," we request that EPA be notified before publication of the Final EIS.

We appreciate the opportunity to review this DEIS. Please send three (3) copies of the Final Environmental Impact Statement to this office at the same time it is officially filed with our Headquarters Office of Federal Activities. If you have any questions, or wish to discuss our comments, please call Ms. Shanna Draheim, of my staff at (415) 972-3851.

Sincerely,



Lisa B. Hanf, Manager
Federal Activities Office

Enclosure: Detailed Comments
EPA Rating Sheet

cc: Jim Burke, City of Phoenix Parks, Recreation and Library Department
Ivan Makil, President, Salt River Pima Maricopa Indian Community

8-2

Your comment is noted. We do not anticipate a change in the Proposed Action; however, if another alternative were selected, public and agency review would be required.

Appendix D

Written Comments

Bureau of Reclamation - Reach 11 Recreation Master Plan DEIS EPA Detailed Comments, January 18, 2002

Water Resources

8-3 The Draft Environmental Impact Statement (DEIS) states that there are several permanent and seasonal ponds, ephemeral washes, and detention basins on the Reach 11 property which may be impacted by the proposed action. The DEIS states that it has not been determined whether these washes and ponds are "waters of the U.S." under the Clean Water Act. The Bureau of Reclamation (BOR) should immediately work with the Corps of Engineers (COE) and EPA to determine the jurisdictional status of these areas. Also, the document does not discuss how BOR and the City of Phoenix will comply with Clean Water Act Section 404 (b)(1) guidelines which require that no discharge of dredged or fill material can be permitted if there is a practicable alternative that is less damaging to the aquatic environment.

8-4 *Recommendation: The Final EIS (FEIS) should better describe the extent of jurisdictional waters at the Reach 11 site, and the estimated number of acres that will be impacted by the proposed action. The FEIS should also discuss how the project complies with Clean Water Act Section 404 (b)(1) guidelines.*

Habitat

8-5 According to the DEIS, the Reach 11 site contains sensitive xeroriparian habitat (habitat associated with intermittent water supplies), which supports many species of nesting and neotropical migrating birds. Most of this vegetation is located in zones 4-6 in the eastern portion of the site. The proposed action seeks to focus the more active/intensive use recreation activities in the western portion of the project site, thereby avoiding most of the impacts to sensitive xeroriparian vegetation. However, the proposed action still includes numerous developments in the eastern portion of Reach 11, including an interpretive center, new trails, picnic areas, playground, and parking lots. These actions will directly impact approximately 45 acres of xeroriparian habitat, and contribute to habitat fragmentation in the region. Alternative 1 (passive plan) proposes significantly fewer recreation facilities or activities in the eastern zones of the site (as well as the western portion), but the DEIS doesn't quantify how that might reduce impacts to this sensitive habitat. Combining different components of the alternatives (e.g., facilities discussed in alternative 1 for the eastern portion of the site, and facility plans for the proposed alternative for the western portion of the site) might meet the dual goals of providing sufficient recreation opportunities and protecting sensitive habitat resources in Reach 11.

Recommendation: The FEIS should discuss and quantify how impacts to xeroriparian habitat would be reduced under Alternative 1 (compared to the proposed project).

8 (continued)

Agency Responses

8-3 The City of Phoenix considered obtaining a jurisdictional delineation for the entire Reach 11 area as part of the investigations conducted for the EIS. However, areas north of Reach 11 that are being developed or are planned for development will alter much of the drainage into the Reach. In addition, construction of the various components of the Recreation Master Plan will occur over the course of several years. Jurisdictional delineation determination is effective for only five years from issuance by the Corps of Engineers (or until a major flow event). The City of Phoenix intends to complete a jurisdictional delineation for development proposed in the next five years. As stated in the discussion regarding compliance with the Clean Water Act of 1977 in section 4.0 of the EIS, the City of Phoenix will prepare a detailed jurisdictional delineation, confirm this with COE, and obtain necessary permits prior to any site construction.

The text of the final EIS has been revised to indicate that jurisdictional waters of the U.S. will be avoided to the greatest extent practicable. Where avoidance is not possible, impacts on waters of the U.S. will be minimized and mitigated.

8-4 See response to comment 8-3.

8-5 Reclamation and the City of Phoenix Parks and Recreation Department believe the Proposed Action would provide a balanced set of uses (between active and passive recreation) and would address demands that likely are to be associated with projected residential development north of Reach 11, including the desire for open space, a natural-appearing character, and recreational facilities.

The alternatives as presented in the EIS are concepts, and accurate quantification of area is not possible. The acreage figures shown in the document are estimates only. During the design stage, facilities will be sited prudently to avoid and minimize adverse impact on sensitive habitat. In addition, construction disturbance will be minimized and revegetation will be required immediately following construction.

Appendix D

Written Comments

- 8-5** (contd.) *Options for combining elements of the alternatives to meet both recreation and environmental protection goals should be discussed.*

Potential Conflicts between Recreation Uses and Flood Detention Requirements

The DEIS states that the primary purpose of the Reach 11 area is as a flood detention basin to capture floodwaters so that they do not impact the Central Arizona Project (CAP) canal. The BOR leases the land to the City of Phoenix for use as a recreation area, but those uses must be compatible with, and must not preclude Reach 11's use as a flood detention basin.

The proposed master plan includes construction of numerous permanent recreation facilities (equestrian center, interpretive center, basketball/soccer fields, lights, bathrooms, parking, concession building). It seems that there could be substantial flood/water impacts to these facilities if the project site is holding significant amounts of water every year or few years. The DEIS does not describe how much or how often water is stored/detained in Reach 11. A map of the 10- and 100-year floodplains is provided, but no other information about how much and where water from lesser storm events (e.g., annual runoff and detention from summer monsoons) is stored within the project area. Also, the DEIS does not include any information on who would be responsible for maintaining or repairing recreation facilities when they are damaged by water detained within the Reach 11 site.

- 8-6** *Recommendation: The FEIS should include more information on the frequency, amount and location of water that is stored/ponded within the Reach 11 site. The FEIS should also include a discussion of which agency is responsible for repairing or maintaining the facilities due to damages from water detention on the site.*

Tribal Cultural Resources

- 8-7** The Reach 11 site is located close to the Salt River Indian Community. If they have not already done so, BOR is encouraged to engage the Tribe in project planning and evaluation.

Recommendation: The FEIS should address whether there are issues or conflicts between proposed actions and tribal cultural sites or land uses.

8 (continued)

Agency Responses

- 8-6** Buildings are located outside the 100-year floodplain to the greatest extent possible. The portion of Reach 11 between Cave Creek Road and Tatum Boulevard encompasses Basin 1, and is designed so that floodflow drainage into the basin will spread out along the entire length of the basin along the toe of the dike (roughly 3.5 miles). Floodflow drainage into Basin 2, which encompasses the portion of Reach 11 between Tatum Boulevard and Scottsdale Road, tends to pond in areas and does not spread out along the toe of the dike as evenly as in Basin 1. Typically, drainage is detained for only a few days after a rain event. Anecdotal information indicates there has been substantial detention of flood water behind the dikes for any measurable length of time only once since dike construction was completed in 1977; in April 1978, detained water within Basin 1 extended 50 to 100 feet upslope of the dike. Because storm events in this area are highly variable and localized, it is appropriate to depict the 10- and 100-year flood elevation and not the 1-year flood elevation.

The City of Phoenix is responsible for maintaining Reach 11 from the toe of the dikes upslope to the property line. Any structures or improvements constructed on lands managed by the City of Phoenix are the responsibility of the City for operation and maintenance. The EIS has been revised to include this information.

- 8-7** The Reach 11 project area is located within the city limits of the City of Phoenix, and the City's Parks and Recreation Department manages it for recreational purposes under a 1986 Recreation Land Use Agreement (RLUA) with Reclamation.
- As noted in Section 4 regarding compliance with Executive Order 13007, Indian Sacred Sites are addressed. Reclamation contacted seven tribal governments with traditional cultural affiliations to the region in written correspondence dated July 1999, including the Salt River Pima Maricopa Indian Community. Only the Hopi Tribe responded (see Comment Letter 2). No conflicts with tribal interests were identified. This information is also included in the Data Collection discussion in Section 3.11.2.

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Appendix D

Written Comments

Final Environmental Impact Statement
for the Reach 11 Recreation Master Plan

D-24

October 2002

November 15, 2001

Mr. Bruce Ellis
Environmental Program Manager
Phoenix Area Office
Bureau of Reclamation
P.O.Box 81169
Phoenix, AZ 85069-1169

ACTION BY		DATE	
NOV 16 '01			
DATE	REVISION	INITIALS	
CLASSIFICATION			
CONTROL NO.			
FOLDER I.D.			

Marek Urbanek
18832 N. 36 Way
Phoenix, AZ 85050

Subject: Comments to the Draft for Reach 11

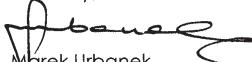
Dear Mr. Ellis:

Your Proposed Action for Reach 11 eliminates vital components of the existing recreational assets of the No-Action Alternative. This may be due to the very rough and preliminary Master Plan, lacking details to evaluate its benefits and what I miss the most are:

- 9-1 1. Define at least 25 Ac of the Canine Area, including off-leash grounds and potable water on the site.
- 9-2 2. Provide pedestrians, equestrian and bikers crossings over the canal, convenient for the residents south of the Reach 11
- 9-3 3. Incorporate biking and hiking paths along all zones of Reach 11, diversify elevations, make the area inviting for all users.
- 9-4 4. Fill the gap on the freeway interchange with park complimenting both crossroads and recreation area. Move Maintenance Yard away from the Reach 11.
- 9-5 5. Address the parking needs appropriately to the particular Zones and integrate traffic plan with Master Plan.

Thank you for consideration of my comments. I will be pleased to see further design to include above suggestions.

Sincerely,


Marek Urbanek

Agency Responses

9-1

The recreational master plan is conceptual and, therefore, the detailed design components for the Off-Leash Activity Area are not yet known (such as size and water availability). The City of Phoenix Parks and Recreation Board has approved an Off-Leash Activity Policy that includes standard criteria for the proposed City of Phoenix Off-Leash Activity Areas such as minimum size and drinking fountains for dogs as well as people.

9-2

There are three crossings for pedestrians, equestrians, and bicyclists to cross the CAP canal from Cave Creek Road to Scottsdale Road. These are located at Tatum Boulevard, Cave Creek Road, and 56th Street. There is also a crossing available to pedestrians and bicyclists where State Route 51 crosses the CAP canal. In addition, crossing of the planned 64th Street is proposed.

9-3

Multiple-use trails are included as part of the Proposed Action throughout all of the zones and are shown on Figure 2-6. The City intends to design the trails to be inviting to all users; however, the elevation of the Reach cannot be modified in any way that would interfere with the primary purpose of the Reach as a detention basin. Also, the use of the adjacent dike is restricted in this area and does not allow for recreational uses.

9-4

Zone 2 reflects the dedicated right-of-way for the freeway interchange and its associated basins. This portion of Reach 11 is under the control of the Arizona Department of Transportation (ADOT). A trail connection is planned through this area to link Zones 1 and 3, as well as providing a connection to the planned bike path along the east side of SR 51.

The Maintenance Yard facilities (and staff) have to be within the Reach and are appropriately located in Zone 1 where the most intensive use occurs and adjacent to Zone 2, the freeway interchange.

9-5

Parking facilities are included in the plans for each zone and will be designed to provide adequate parking for the facilities and amenities of each zone. Circulation (vehicle, bicycle, pedestrian, and horse) was a key issue identified during scoping early in the EIS process and is depicted on Figure 2-6. Circulation will be addressed in more detail during the design stage.